



Citizen Police Advisory Review Board

Notes

The Citizen Police Advisory Review Board met on Tuesday, August 15, 2006 at 5:30 p.m. at the Downtown Library, Basement, 101 N. Stone, Tucson, Arizona.

1. Call to Order/Roll Call

Members Present:

Susan Thornton
Tom Clark
Vicki Ann Hart, Vice Chair
Cindy Schiesel, Chair
Michael Elsner

Representing:

Mayor
Ward 2
Ward 3
Ward 4
Ward 6

Advisory Members Present:

Daniel Knieter
Bruce Cameron

Ex-Officio Non-Voting Members Present:

Captain Rozema, Tucson Police Department
Liana Perez, Equal Opportunity Employment, Independent Police Auditor

Others Present:

Lieutenant Rick Wilson, Tucson Police Department
Deputy Chief Kermit Miller, Tucson Police Department
Michael Rankin, City Attorney's Office
Lisa Judge, City Attorney's Office
Kris Page-Iverson, City Attorney's Office
Sergeant Bob Jimenez, Tucson Police Department
Captain Michael Gillooly, Tucson Police Department
Sergeant Joe Puglia, Tucson Police Department
Officer Kathleen Robinson, Tucson Police Department
Ron Manzi, Guest
Dante Manzi, Guest
Gil Gevrin, Guest
Joyce Smith, Guest
Gretchen Nielsen, Guest
Dalton McClelland, Guest
Beth Tidwell, Recording Secretary, City Clerk's Office

2. Approval of Notes of July 18, 2006

Motion by Vice Chair Hart, duly seconded, and carried by a voice vote of 5 to 0 to approve the notes of July 18, 2006.

3. Call to the Audience

Ron Manzi stated Arizona had the highest rate of auto theft across the country. He requested that the police department look into etching vehicle identification numbers into the bumper of cars and for stickers to be placed on cars allowing people who drove between the hours of midnight and five in the morning to have special allowance to pull off the road. He also requested a tracking device be implemented on vehicles for theft purpose especially since we were close to Mexico. He said the police department should have a computer system that tracks stolen cars.

Joyce Smith stated she was with the peaceful demonstrators from the recruitment office on Speedway and she felt the presence of police was necessary.

Gretchen Nielsen said she was with the demonstrators from the recruitment office on Speedway and she felt that mediation was necessary between the two groups.

Chair Schiesel introduced Michael Rankin, City Attorney. Mr. Rankin introduced Kris Page-Iverson from the City Attorney's Office and said Ms. Page-Iverson would be attending the Citizen Police Advisory Review Board Meetings for staff support

4. Report from the April 10, 2006 Demonstration Subcommittee

Chair Schiesel said the subcommittee had reviewed the tapes from the April 10, 2006 Demonstration and had some questions. The questions were given to Deputy Chief Miller to address in Item 5.

5. Discussion of the After Action Review of April 10, 2006 Demonstrations – Deputy Chief Kermit Miller

Michael Rankin, City Attorney, said he had received a copy of the questions that Deputy Chief Miller was going to answer. He said he had spoken to the Police Department because he wanted to make sure they were acceptable questions under the legal authority of the powers of the Board. He said the only point he would step in was if the questions moved toward the direction of investigation instead of review.

Deputy Chief Miller responded to each question. Summing up that after reviewing the April 10, 2006 reports, the Tucson Police Department was satisfied with the response of the officers and they were aware of where they would make changes in the future.

6. Office of Independent Police Auditor

A. Outreach Report

Liana Perez, Independent Police Auditor, said outreach was slow because the schools and some of the neighborhood associations were out during the summer months. She was going to speak at the Tucson Women's Commission on August 17, 2006. Ms. Perez said she had made a presentation at Arizona State University about conflict resolution.

B. Monthly Contacts

Ms. Perez said she had made arrangements for Board members Tom Clark and Bruce Cameron to attend the National Association of Civilian Oversight of Law Enforcement (NACOLE) in September.

Chair Schiesel thanked Ms. Perez for her hard work.

7. Tucson Police Department

A. TPD Updates

Captain Rozema, Tucson Police Department, said the Police Memorial Park dedication had roughly 500 people attend.

Captain Rozema said the Tucson Police Department just implemented a Power Squad of six officers and one sergeant. They were deployed at 5:00 p.m. to any division that needed extra help.

Captain Gillooly, Tucson Police Department, said the squad worked four days out of the week. He said in their first week they were able to help clear over one hundred fifteen calls to service and acted as a back up unit to over two hundred and twenty five calls to service.

Ms. Thornton asked if the squad was available for ride a longs.

Captain Rozema said yes.

B. Office of Internal Affairs/Update

Lieutenant Wilson, Tucson Police Department, said he was preparing a list of topics for the Board's training in October.

8. Random Review of TPD Updates Recess

1. Case #05-0817

Mr. Clark said he was concerned about this case. He agreed it was a dysfunctional situation. He believed the misconduct of the child provoked the officer to act unprofessionally. He did not think the case should have been sustained because he felt like the true nature of the situation was not addressed.

Captain Rozema said the complaint was sustained because the officer did not double lock the handcuffs on the juvenile. He said other allegations that the officers said unprofessional things to the juvenile were hearsay. Captain Rozema reminded Mr. Clark that the juvenile and everyone else in the house was drunk.

Lieutenant Wilson said the chain of command addressed that area of the complaint and determined that part was not sustained.

Chair Schiesel asked why the mother was not arrested for contributing to the delinquency of a minor for buying and administering liquor.

Captain Rozema said the mother was arrested.

Chair Schiesel asked why the child was not taken to juvenile hall.

Lieutenant Wilson said the Tucson Police Department has options for status offenses. He said they were not authorized to book juveniles with status offenses. He said the police could write a ticket, which was the same as an arrest.

Mr. Clark asked where an injury report would be taken.

Lieutenant Wilson said injury reports were completed at the scene. He said a doctor would sign the injury report if the individual needed medical attention. He said in this case the juvenile did not request medical attention or claim to be hurt until after the police officers left the scene.

Lieutenant Wilson mentioned the police department had requested a copy of the child's injuries be released to them from St. Mary's Hospital, but the family would not release them.

Mr. Clark said he felt the case was sustained for the wrong reasons.

Mr. Cameron pointed out double locking handcuffs prevent them from tightening on someone's wrist. He said the child could have caused himself the injury moving around since the handcuffs were not double locked. He said the issue was sustained concerning the double locking of the handcuffs.

Case #05-0817 was found to be a fair and thorough investigation by a voice vote of 5-0.

2. Case #06-0186

Mr. Elsner said he would like a lesson in the child welfare laws.

Lieutenant Wilson said the letter was sent to Detective Fuller by the father in this case, basically asking him to ignore a court appointed judgement.

Mr. Elsner said from allegations the father made in his letter about abuse, he did not understand why there was nothing about Child Protective Services being notified.

Chair Schiesel asked in cases like this could the Tucson Police Department refer to Child Protective Services.

Lieutenant Wilson said they could contact Child Protective Services and provide them with information. Lieutenant Wilson stated in this case the father was making allegations over a year later and had not shown up to court hearings. He said Child Protective Services had been involved in the case with the mother early on.

Case #06-0186 was found to be a fair and thorough investigation by a voice vote of 5-0.

3. Case #06-0192

Mr. Elsner asked what the false report was.

Captain Rozema said it was accusing the officer of dealing crack cocaine.

Lieutenant Wilson said the lady accusing the officer was upset because her sister, who was dating the officer, would not allow her to see her nieces. She openly admitted that she was not telling the truth and had made up the story.

Lieutenant Wilson said when the initial complaint was made about the officer it was investigated. The officer was not on duty at the time the woman stated that he was making drug sales.

Mr. Clark said this case raised the question as to what the procedure was to insure that officers do not scam cash or sell drugs.

Captain Rozema stated after being in the police business for twenty years he knew the possibility was there, but after seeing how dealers end up, the majority of police officers had no desire to be crooked.

Lieutenant Wilson pointed out the key to a lot of it was supervision. He said there was a check and balance with a series of verifications that were done. He said when there was allegations of criminal misconduct it was taken seriously and investigated.

Case #06-0192 was found to be a fair and thorough investigation by a voice vote of 5-0

9. **Recess**

By consensus, the Board decided to forego a recess.

10. **Citizen Comments to Mayor and Council**

Mr. Elsner asked if a constituent could be involved in a coalition in the neighborhood of Miracle Mile Road that would help fight prostitution in his neighborhood.

Vice Chair Hart said that Jane Baker had received awards for cleaning up that neighborhood.

Ms. Thornton had a question about what the procedure was if you go out and your car was gone.

Captain Rozema said when the police department tows a vehicle it would show that on the computer when you call 911. From that point you would be given further directions. Captain Rozema stated it was what the police department referred to as Teletype Wireless Exchange (TWX).

11. **Report on Website**

Chair Schiesel asked Mr. Cameron to post the minutes on the website.

Mr. Cameron said he would.

12. Selection of Applicants to be Interviewed for Advisory Board Positions

Chair Schiesel said there were thirty one applications submitted for the positions available on the Board.

The Board discussed only interviewing the top ten candidates.

Motion by Ms. Thornton, duly seconded, and carried by a voice vote of 5 to 0 to interview the top ten applicants for the Citizen Police Advisory Review Board positions.

13. Chairperson's Summary of Current Events

Chair Schiesel announced that Ray Siqueiros had resigned from the Citizen Police Advisory Review Board.

Mr. Elsner said that he had spoken to Council Member Ibarra's aide about filling the position from Ward 1. He said that he felt if pressure were applied the position would get filled faster.

Motion by Ms. Thornton, duly seconded, and carried by a voice vote of 5 to 0 to request the non voting advisory members be appointed to the Board if Council Member Leal and Council Member Ibarra do not fill the positions in their Wards.

14. Future Agenda Items

Mr. Elsner asked Mr. Rankin, City Attorney, if the Board could talk to the protestors at the recruitment office on Speedway about holding their demonstrations on opposite sides of the road. He said maybe even the Mayor's office could propose this to the demonstrators. Mr. Elsner said he wanted to see the Board be proactive in this situation.

Mr. Rankin reminded the Board that it was not on the agenda tonight so there could be no discussion about the issue.

Mr. Elsner said he wanted to resolve the issue and wanted to know if the board could get a legal opinion.

Mr. Rankin told him that the Board could not get a legal opinion at any time.

Vice Chair Hart asked if Mr. Elsner could go through his council member and have them contact Mr. Rankin.

Mr. Rankin said he would speak with the council members.

Chair Schiesel asked Tucson Police Department to inform the Board about the protocols for juvenile arrest in the September meeting.

15. Adjournment – 7:30 p.m.

MOTION by Vice Chair Hart, duly seconded, and approved by a voice vote of 5 to 0, to adjourn.